



U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

June 3, 2015

Exemption No. 11306A
Regulatory Docket No. FAA-2014-1023

Mr. Kevin J. Gould
CEO
Hawk Aerial, LLC
114 Homesteads Road
Placitas, NM 87043

Dear Mr. Gould:

This letter is to inform you that we have granted your petition for an amendment. It explains the basis for our decision, describes its effect, and lists any changes to the original conditions and limitations.

By letter dated April 12, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of Hawk Aerial, LLC (hereinafter petitioner or operator) for an amendment to your current exemption. That exemption from §§ 61.23(a) and (c), 61.101(e)(4) and (5), 61.113(a), 61.315(a), 91.7(a), 91.119(c), 91.121, 91.151(a)(1), 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), and 91.417(a) and (b) of Title 14, Code of Federal Regulations (14 CFR) allows the petitioner to operate an unmanned aircraft system (UAS) to conduct photogrammetry, inspections and analyses. You requested an amendment to add additional aircraft, the DJI Phantom 3.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner. The unmanned aircraft(s) authorized in the original grant are comparable in type, size, weight, speed and operating capabilities to those in this petition.

Airworthiness Certification

In accordance with the statutory criteria provided in Section 333 of Public Law 112–95 in reference to 49 U.S.C. § 44704, and in consideration of the size, weight, speed, and limited operating area associated with the aircraft and its operation, the Secretary of Transportation has determined that this aircraft meets the conditions of Section 333. Therefore, the FAA finds that relief from 14 CFR part 21, *Certification procedures for products and parts, Subpart H—Airworthiness Certificates*, and any associated noise certification and testing requirements of part 36, is not necessary.

Our Decision

The FAA has determined that the justification for the issuance of Exemption No. 11306 remains valid and is in the public interest. Therefore, under the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, the operator is granted an amendment to add new aircraft to its UAS operations.

The operator shall add this amendment to its original exemption.

Conditions and Limitations

All conditions and limitations within Grant of Exemption No. 11306 remain in effect except as follows. Condition No. 1 has been updated to reflect the additional aircraft.

Failure to comply with any of the conditions and limitations of this grant of exemption will be grounds for the immediate suspension or rescission of this exemption.

1. Operations authorized by this grant of exemption are limited to the Multirotor G4 Eagle, DJI Phantom 2, Altavian Nova F6500, Altavian R8400, and DJI Phantom 3 when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.

This exemption terminates on April 30, 2017, unless sooner superseded or rescinded.

Sincerely,

John S. Duncan
Director, Flight Standards Service

U.S. Department of Transportation, Docket Operations
West Building Ground Floor, Room w12-140
1200 New Jersey Avenue, S.E.
Washington, DC 20590

**Application to Amend
Section 333 Exemption No. 11306
Regulatory Docket No. FAA-2014-1023**

April 12, 2015

Petitioner:

Hawk Aerial, LLC
Kevin J. Gould, CEO
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Placitas, NM 87043
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Email: kevin.gould@hawkaerial.com
Website: www.hawkaerial.com

Greetings,

By letter from the FAA dated April 8, 2015, an exemption was granted to Hawk Aerial for relief under Section 333. That letter was marked Section 333 Exemption No. 11306 Regulatory Docket No. FAA-2014-1023.

Hawk Aerial hereby requests that the exemption so granted be amended to include DJI Phantom 3 models. Relevant facts and reasoning are:

- DJI has announced they will discontinue the Phantom 2 model which was approved in Hawk Aerial's Exemption No. 11306.
- Size, weight and performance specification of the DJI Phantom 3 ("P3") are substantially similar to those of the DJI Phantom 2 Vision+ ("P2") in all relevant respects:
 - Gross weight: P3=1280g; P2=1242g.
 - Diagonal Size (including propellers): P3=590mm; P2=579mm.
 - Maximum Ascent Speed: P3=5m/sec; P2=6m/sec.
 - Maximum Descent Speed: P3=3m/sec; P2=2m/sec.
 - Vertical Hover Accuracy: P3=+/-10cm; P2=+/-80cm.
 - Horizontal Hover Accuracy: P3=+/-1m; P2=+/-2.5m.
 - Maximum Speed: P3=16m/sec; P2=15m/sec.
- The findings, rationale and conclusions contained in the FAA's Exemption No. 11306 apply without modification to this application to include the DJI Phantom 3 model in Exemption No. 11306.

Thank you for your consideration of this important request. Please advise us of any additional information that is required.

Sincerely,

Kevin J. Gould
Airman Certificate #2830326
CEO, Hawk Aerial LLC